

Community College of Allegheny County Adjuncts United



Know Your Rights

Overview

Your employer should never put you in a position where you feel intimidated or fearful about your support or activism for the campaign. You always have the right to excuse yourself from any conversation about the union which makes you feel uncomfortable. That being said, you should feel free to express your support for the campaign.

You cannot be fired due to your support for a union. That doesn't mean that you can't be terminated for poor job performance or misconduct. While you are protected from retaliation, it is also important protect yourself by continuing to do your job well.

There is a long list of things that employers cannot do during an organizing campaign. ***It is extremely important that you contact an organizer if anything happens that does not seem right, if your employer contacts you regarding the campaign in any way, or if there are any questions that you have***

From  Public Employee Relations Act

What are my rights, as an employee, during the organizing campaign?

ARTICLE IV. Employee Rights

Section 401. It shall be lawful for public employees to organize, form, join or assist in employee organizations or to engage in lawful concerted activities for the purpose of collective bargaining or other mutual aid and protection or to bargain collectively through representatives of their own free choice and such employees shall also have the right to refrain from any or all such activities, except as may be required pursuant to a maintenance of membership provision in a collective bargaining agreement.

What, specifically, does the law say my employer can do and not do?

ARTICLE XII. Unfair Practices

Section 1201. “(a) Public employers, their agents or representatives are prohibited from:

- (1) Interfering, restraining or coercing employees in the exercise of the rights guaranteed in Article IV of this act.
- (2) Dominating or interfering with the formation, existence or administration of any employee organization.

- (3) Discriminating in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any employee organization.
- (4) Discharging or otherwise discriminating against an employee because he has signed or filed an affidavit, petition or complaint or given any information or testimony under this act.
- (5) Refusing to bargain collectively in good faith with an employee representative which is the exclusive representative of employees in an appropriate unit, including but not limited to the discussing of grievances with the exclusive representative.
- (6) Refusing to reduce a collective bargaining agreement to writing and sign such agreement.
- (7) Violating any of the rules and regulations established by the board regulating the conduct of representation elections.
- (8) Refusing to comply with the provisions of an arbitration award deemed binding under section 903 of Article IX...”

What happens if my employer commits an Unfair Labor Practice?

ARTICLE XIII. Prevention of Unfair Practices

Section 1301. The board is empowered, as hereinafter provided, to prevent any person from engaging in any unfair practice listed in Article XII of this act. This power shall be exclusive and shall not be affected by any other means of adjustment or prevention that have been or may be established by agreement, law, or otherwise.

Section 1302. “Whenever it is charged by any interested party that any person has engaged in or is engaging in any such unfair practice, the board, or any member or designated agent thereof, shall have authority to issue and cause to be served upon such person a complaint, stating the charges in the respect, and containing a notice of hearing before the board, or any member or designated agent thereof, at a place therein fixed not less than five days after the serving of said complaint...”

Section 1303. “...If, upon all the testimony taken, the board shall determine that any person named in the complaint has engaged in or is engaging in any such unfair practice, the board shall state its findings of fact, and issue and cause to be served on such person an order requiring such person to cease and desist from such unfair practice, and to take such reasonable affirmative action, including reinstatement of employees discharged in violation of Article XII of this act, with or without back pay, as will effectuate the policies of this act...”

Section 1306. “All cases in which complaints are actually issued by the board, shall be prosecuted before the board or its examiner, or both, by the representatives of the employee organization or party filing the charge, and, in addition thereto or in lieu thereof if the Department of Justice sees fit, by a deputy attorney general especially assigned to this type of case...”